

# **MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY**

Waste Management and Remediation Division  
Waste Management Bureau  
Solid Waste Section  
PO Box 200901  
Helena, MT 59620-0901

## **DRAFT ENVIRONMENTAL ASSESSMENT**

### **PROJECT OR APPLICATION:**

Whippoorwill Salvage, a Montana business, has proposed a private motor vehicle wrecking facility (MVWF) in Missoula County.

### **SOLID WASTE SECTION ROLES AND RESPONSIBILITIES:**

The Department of Environmental Quality (DEQ) is responsible for ensuring activities proposed under the Solid Waste Management Act, the Septage Disposal Licensure Act, and the Motor Vehicle Disposal & Recycling Act are in compliance with current regulations. The Solid Waste Section (SWS) is a part of the Waste Management Bureau, in the Waste Management and Remediation Division of the DEQ. The Motor Vehicle Recycling & Disposal Act, 75-10-501, Montana Code Annotated (MCA), and the Administrative Rules of Montana (ARM), Title 17, Chapter 50, Section 201 provides the authority for the Motor Vehicle Recycling & Disposal Program (MVRDP) to license and regulate motor vehicle wrecking facilities in the state of Montana.

### **SECTION 1.0 – PROJECT DESCRIPTION:**

Whippoorwill Salvage submitted a license application to DEQ's SWS for a MVWF in Missoula County. The proposed location will be within a fenced area at 4365 Whippoorwill Drive, Missoula, Montana. The legal description of the facility is, S01, T13 N, R20 W, C.O.S, 4891, Parcel A2, In W2 SE4. Whippoorwill Salvage has applied to license 10 acres of the 17 acre parcel.

#### **Purpose of the Environmental Assessment (EA):**

In accordance with 75-1-102, MCA, the Montana Environmental Policy Act (MEPA) is procedural, and requires the "adequate review of state actions in order to ensure that environmental attributes are fully considered by the legislature in enacting laws to fulfill constitutional obligations; and the public is informed of the anticipated impacts in Montana of potential state actions." According to MEPA, environmental assessments (EA) are the procedural documents that communicate the process agencies follow in their decision-making. An EA does not result in a certain decision, but serves to identify the potential effect of a state action within the confines of existing laws and rules governing proposed activities so that agencies make balanced decisions. The MEPA process does not provide regulatory authority beyond the authority explicitly provided in existing statute.

The Motor Vehicle Recycling & Disposal Act, and associated administrative rules, establish the minimum requirements for the design and operation of MVWFs. The EA is the mechanism that DEQ uses to:

- (1) Disclose whether a proposed site meets the minimum requirements for compliance with the current laws and rules;
- (2) Assist the public in understanding state MVWF regulations as they pertain to licensing MVWFs;
- (3) Identify and discuss the potential environmental effects of the proposed site if it is approved and becomes operational;

- (4) Discuss actions taken by the applicant, and the enforceable measures and conditions designed to mitigate the effects identified by DEQ during the review of the application; and
- (5) Seek public input to ensure DEQ has identified the substantive environmental impacts associated with the proposed MVWF.

#### Purpose of Proposal:

By obtaining a MVWF license, the applicant is allowed to:

- (1) Buy, sell, or deal in four or more vehicles per year of a type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially altering the form of the motor vehicle (75-10-501(6)(a)(i), MCA);
- (2) Buy or sell component parts, in whole or in part, and deal in second-hand junk vehicles (75-10-501(6)(a)(ii), MCA);
- (3) Purchase wrecked vehicles from insurance companies. Insurance companies are required by state law to sell junk vehicles only to licensed MVWF (75-10-520, MCA);
- (4) This business will provide a commercial source of automotive parts at a cost savings to the consumer; and
- (5) This business will also recycle all the ferrous and non-ferrous metals of the dismantled vehicles that were not sold to the general public. Recycling metals will conserve energy and natural resources otherwise used to manufacture new automotive parts.

#### Benefits of Proposal:

By obtaining a MVWF license, the applicant will be allowed to:

- (1) Purchase junk vehicles from the general public and insurance companies, which will contribute to the overall cleanliness of the community in which the facility is located;
- (2) The facility will be required by statute to shield the junk vehicles from public view (75-10-504, MCA);
- (3) The facility will be required to handle all automotive waste in an environmentally safe manner; and
- (4) This service will conserve energy and natural resources otherwise used to manufacture new parts.

#### Site Location:

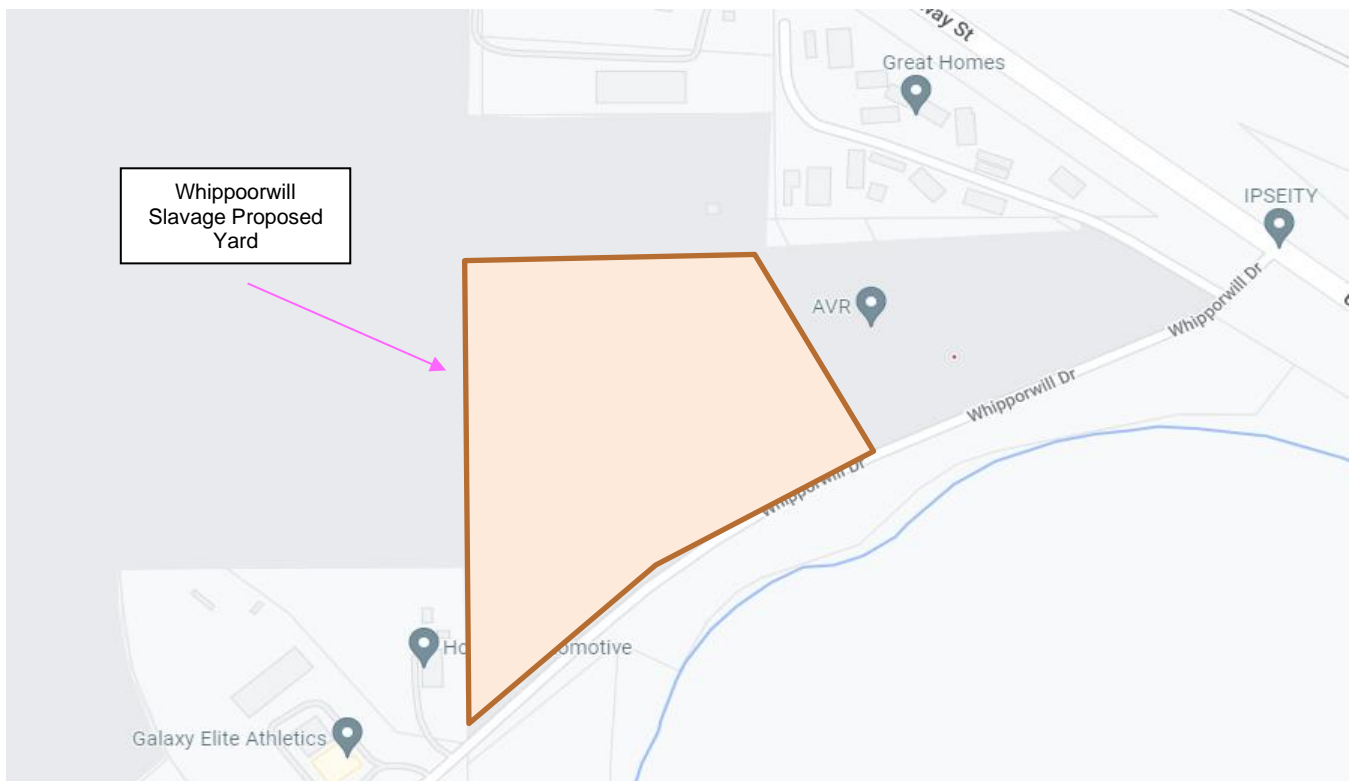
The proposed MVWF will be in Missoula County. The proposed location is within a fenced area at 4365 Whippoorwill Drive, Missoula, Montana. The legal description of the facility is, S01, T13 N, R20 W, C.O.S, 4891, Parcel A2, In W2 SE4 (**Figures 1.1 and 1.2**). Whippoorwill Salvage has applied to license 10 acres of the 17 acre parcel.

**Figure 1.1 – Location of Proposed Site: Aerial View**



Source: Google Earth

**Figure 1.2 – Location of Proposed Site: Street View**



Source: Montana Cadastral

## SECTION 2.0 – ALTERNATIVES CONSIDERED

The following provides a description of reasonable alternatives whenever they are available and prudent to consider:

**Alternative A:** The “no action” alternative. If this alternative is selected, a final decision by DEQ will not be required because the applicant will have chosen to withdraw the application for licensure of the MVWF. By withdrawing the application from consideration by DEQ, the applicant can still seek an alternative site for the proposal.

DEQ has not received a request by the applicant to withdraw the application for licensure. Therefore, prior to DEQ’s final decision, two other possible alternatives were considered during the preparation of this EA.

**Alternative B:** The “license application approved” alternative. If this alternative is selected, DEQ will approve the application and issue a new license, establishing the site as a MVWF.

A decision by DEQ is prompted when the applicant completes the application for licensure of the proposed activity at the proposed location. However, the applicants may at any time choose to withdraw the application. This would result in DEQ selecting the “no action” alternative because DEQ’s decision would not be necessary. If the applicant withdraws the application, the applicant could seek to locate a similar facility elsewhere.

In consideration of these alternatives, the potential environmental effects of Alternative C were evaluated for the proposed project based on the information provided. DEQ researched the site and surrounding area, which included a site visit. The results of DEQ’s evaluation of potential environmental impacts related to the proposed facility are summarized in Section 3.0.

## SECTION 3.0 – EVALUATION OF POTENTIAL EFFECTS

**Tables 3.1** and **3.2** identify and evaluate the potential effects that may occur to human health and the environment if the site for the MVWF is approved. The discussion of the potential impacts only includes those resources that may be affected. If there is no effect on a resource, it may not be mentioned in the analysis.

Direct and indirect impacts are those that occur in or near the proposed project area and may extend over time. Often, the distinction between direct and indirect effects is difficult to define. For the purposes of this discussion, direct and indirect impacts are combined.

**Table 3.1 – Impacts to the Physical Environment**

Physical Environment	Major	Moderate	Minor	None	Unknown	Attached
1. Terrestrial and Aquatic Life and Habitats				✓		✓
2. Water Quality, Quantity, and Distribution				✓		✓
3. Geology and Soil Quality, Stability, and Moisture			✓			✓
4. Vegetation Cover, Quantity, and Quality			✓			✓
5. Aesthetics			✓			✓
6. Air Quality			✓			✓
7. Unique, Endangered, Fragile, or Limited Environmental Resources				✓		✓
8. Historical and Archaeological Sites				✓		✓
9. Demands on Environmental Resources on Land, Water, Air, or Energy				✓		

**Table 3.2 – Impacts to the Human Environment**

Human Environment	Major	Moderate	Minor	None	Unknown	Attached
1. Social Structures & Mores				✓		
2. Cultural Uniqueness & Diversity				✓		
3. Density & Distribution of Population & Housing				✓		
4. Human Health & Safety				✓		
5. Quantity & Distribution of Employment			✓			✓
6. Local & State Tax Base Revenues			✓			✓
7. Demand for Government Services			✓			✓
8. Industrial, Commercial, & Agricultural Activities & Production			✓			✓
9. Access to & Quality of Recreational & Wilderness Activities				✓		
10. Locally Adopted Environmental Plans & Goals				✓		✓

## ANALYSIS OF TABLE 3.1 – POTENTIAL IMPACTS TO THE PHYSICAL ENVIRONMENT

This section evaluates the potential environmental effects that may occur on the physical environment if the proposed facility is approved. The number on each of the following resource headings corresponds to a resource listed in the tables. Generally, only those resources potentially affected by the proposal are discussed. Therefore, if there is no effect on a resource, it may not be discussed.

### 1. Terrestrial & Aquatic Life Habitats

The proposed yard is surrounded by industrial, and commercial areas. The impacts caused by the creation of the wrecking facility should not be significant to the area's ecosystem. The impact on the wildlife, birds, or fish in this area will be negligible as it is already developed with industrial and commercial facilities.

### 2. Water Quality, Quantity, and Distribution

Several properties in this area have wells. The static ground water level in the vicinity of the site varies from 25 to 94 feet below ground surface. This proposed MVWF is not expected to have any impacts on the quality, quantity, or distribution of the ground water because of the planned management practices. These practices will include the removal of the automotive fluids over an impermeable pad before the junk vehicles are processed. These auto fluids will either be reused or properly recycled.

**Table 3.3 – Summary of Nearby Supply Wells**

GWIC ID	Township	Range	Section	Quarter Section	Total Depth (ft)	Static Water Level (ft)	Yield (gpm)	Use
236138	13N	20W	01	NE¼	149.00	90.00	35.00	Irrigation
275483	13N	20W	01	NE¼ NE¼	160.00	80.00	45.00	Irrigation
311077	13N	20W	01	NE¼ NE¼	20.00	NA	NA	Monitoring
311078	13N	20W	01	NE¼ NE¼	20.00	NA	NA	Monitoring
311079	13N	20W	01	NE¼ NE¼	20.00	NA	NA	Monitoring
227671	13N	20W	01	NE¼ NE¼	160.00	70.00	80.00	Domestic
261516	13N	20W	01	NE¼ NE¼	149.00	94.00	25.00	Irrigation
250884	13N	20W	01	SE¼ NE¼ NE¼	115.00	43.00	30.00	Irrigation
200009	13N	20W	01	NW¼ NE¼	145.00	92.00	55.00	Monitoring
200008	13N	20W	01	NW¼ NE¼	152.00	94.00	50.00	Other
198525	13N	20W	01	NW¼ NE¼	156.00	87.00	70.00	NA
198526	13N	20W	01	NW¼ NE¼	148.00	87.00	70.00	NA
263730	13N	20W	01	NW¼ NE¼	178.00	84.00	30.00	Irrigation
227896	13N	20W	01	SW¼ NE¼	220.00	83.00	100.00	Irrigation
310913	13N	20W	01	SW¼ NE¼	140.00	NA	50.00	Domestic
160379	13N	20W	01	NW¼ NW¼	100.00	55.00	30.00	Domestic
296749	13N	20W	01	NW¼ NW¼	19.00	NA	NA	Monitoring
296751	13N	20W	01	NW¼ NW¼	41.00	NA	NA	Monitoring
297409	13N	20W	01	NW¼ NW¼	19.50	NA	NA	Monitoring
297410	13N	20W	01	NW¼ NW¼	20.00	NA	NA	Monitoring
297412	13N	20W	01	NW¼ NW¼	20.00	NA	NA	Monitoring
297413	13N	20W	01	NW¼ NW¼	39.50	NA	NA	Monitoring
296750	13N	20W	01	NW¼ NW¼	20.60	NA	NA	Monitoring

303462	13N	20W	01	NW¼ NW¼	40.00	NA	NA	Monitoring
303464	13N	20W	01	NW¼ NW¼	40.00	NA	NA	Monitoring
303466	13N	20W	01	NW¼ NW¼	40.00	NA	NA	Monitoring
209372	13N	20W	01	NW¼ NW¼	219.00	90.50	275.00	Injection
69426	13N	20W	01	NW¼ NE¼ SW¼ NW¼	139.00	70.00	75.00	Domestic
69427	13N	20W	01	NE¼ SW¼	90.00	49.00	20.00	Domestic
165661	13N	20W	01	NE¼ SW¼	94.00	47.00	30.00	Domestic
218875	13N	20W	01	SE¼ SW¼	180.00	73.00	40.00	Irrigation
69428	13N	20W	01	SE¼	70.00	25.00	30.00	Unknown
288903	13N	20W	01	NE¼ SE¼	115.00	45.00	35.00	Domestic
69429	13N	20W	01	NE¼ SE¼	70.00	40.00	20.00	Domestic
137506	13N	20W	01	NW¼ NE¼ SE¼	120.00	80.00	30.00	Domestic
134735	13N	20W	01	SW¼ NW¼ SE¼	110.00	70.00	30.00	Domestic
69430	13N	20W	01	SW¼ SE¼	72.00	30.50	40.00	Industrial

Source: Montana Bureau of Mines and Geology Ground Water Information Center

### 3. Geology and Soil Quality, Stability, and Moisture

The soils in the vicinity of the site are classified by the U.S. Natural Resource Conservation Service as Urban Land. The neighboring soil types are Grassvalley silty clay loam and Grassvalley silty clay loam. These soils are well drained, 4 to 15 percent slope, and the water table begins at a depth of 80 inches for this soil type. Waste anti-freeze, gasoline, and lubricating oils contain petroleum distillates, heavy metals, and possibly toxic compounds. If improperly disposed, these can cause surface and groundwater degradation. The applicant proposes to properly reuse or recycle all of the above-named automotive fluids. Some residual lubricating oils and antifreeze may drip from the vehicles stored at the facility. This residual dripping is not expected to be significant, or result in heavy soil accumulations, because the junk vehicles will have the fluids removed over an impermeable pad.

**Table 3.4 – Summary of Soil Properties**

<b>Soil Type</b>	<b>Grassvalley silty clay loam</b>
<b>Map Unit Symbol</b>	46
<b>Slope</b>	4 to 8 percent slopes
<b>Depth Profile</b>	Ap - 0 to 9 inches: silty clay loam Bt - 9 to 21 inches: clay Btk - 21 to 28 inches: clay C - 28 to 60 inches: clay
<b>Drainage</b>	Well Drained
<b>Frequency of Flooding</b>	None
<b>Frequency of Ponding</b>	None
<b>Capacity of the most limiting layer to transmit water (Ksat):</b>	Very low to moderately low (0.00 to 0.06 in/hr)
<b>Depth to water table</b>	More than 80 inches
<b>Soil Type</b>	<b>Grassvalley silty clay loam</b>
<b>Map Unit Symbol</b>	47
<b>Slope</b>	8 to 15 percent slopes
<b>Depth Profile</b>	A - 0 to 7 inches: silty clay loam Bt - 7 to 24 inches: clay Btk - 24 to 52 inches: clay C - 52 to 60 inches: clay
<b>Drainage</b>	Well Drained
<b>Frequency of Flooding</b>	None
<b>Frequency of Ponding</b>	None



Capacity of the most limiting layer to transmit water (Ksat):	Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table	More than 80 inches

Source: USDA-NRCS, Web Soil Survey, Missoula County, Montana

**Figure 3.1 – Summary of Soil Properties Map**



Source: USDA-NRCS, Web Soil Survey, Missoula County, Montana

#### 4. Vegetation Cover, Quantity, and Quality

The proposed facility is in Missoula, Montana. This wrecking facility is surrounded by industrial and commercial areas. The impacts caused by the establishment of the wrecking facility should not be significant to the area's ecosystem as it is in a developed area near a major highway. The site is therefore unlikely to undergo further ecosystem disruption due to the licensing and operation of this yard. There will be no impact to the quality and/or quantity of the vegetative cover on the property as the site is already developed.

#### 5. Aesthetics

The MVRDP is mandated by statute to require all MVWFs to shield their junk vehicles from public view. "Public view" is defined as any point six feet above the surface of the center of a public road from which the junk vehicles can be seen. The applicant must meet state shielding requirements, as outlined in ARM 17.50.202, prior to licensure.

#### 6. Air Quality

Automotive fluids and refrigerant will be properly removed from the junk vehicles and disposed of in accordance with all applicable regulations. Therefore, the impact to air quality is expected to be negligible.

#### 7. Unique, Endangered, Fragile, or Limited Environmental Resources



The proposed site is in a prairie and grassland habitat. The site is in a developed area and the is covered with native and nonnative grasses and flowering plants. Because the site is developed, licensing and subsequent operation of this site is unlikely to affect any species of concern. Additionally, none of the species of concern listed in the area were found in this habitat upon inspection.

The site is neither within nor near a designated sage grouse habitat or BLM Priority area.

The Species of Concern present within Missoula County are outlined in **Table 3.5** below:

**Table 3.5 – Species of Concern in Missoula County**

<b>Species Subgroup</b>	<b>Common Name</b>	<b>Scientific Name</b>	<b>G Rank</b>	<b>S Rank</b>
Mammals	Fringed Myotis	Myotis thysanodes	G4	S3
Mammals	Grizzly Bear	Ursus arctos	G4	S2S3
Mammals	Hoary Bat	Lasiurus cinereus	G3G4	S3B
Mammals	Little Brown Myotis	Myotis lucifugus	G3G4	S3
Mammals	Long-eared Myotis	Myotis evotis	G5	S3
Mammals	Long-legged Myotis	Myotis volans	G4G5	S3
Mammals	Townsend's Big-eared Bat	Corynorhinus townsendii	G4	S3
Birds	American Bittern	Botaurus lentiginosus	G5	S3B
Birds	Bobolink	Dolichonyx oryzivorus	G5	S3B
Birds	Brewer's Sparrow	Spizella breweri	G5	S3B
Birds	Brown Creeper	Certhia americana	G5	S3
Birds	Cassin's Finch	Haemorhous cassinii	G5	S3
Birds	Clark's Nutcracker	Nucifraga columbiana	G5	S3
Birds	Evening Grosbeak	Coccothraustes vespertinus	G5	S3
Birds	Great Blue Heron	Ardea herodias	G5	S3
Birds	Lewis's Woodpecker	Melanerpes lewis	G4	S2B
Birds	Pacific Wren	Troglodytes pacificus	G5	S3
Birds	Pileated Woodpecker	Dryocopus pileatus	G5	S3
Birds	Varied Thrush	Ixoreus naevius	G5	S3B
Birds	Veery	Catharus fuscescens	G5	S3B
Reptiles	Western Skink	Plestiodon skiltonianus	G5	S3

Fish	Bull Trout	Salvelinus confluentus	G5	S2
Fish	Westslope Cutthroat Trout	Oncorhynchus clarkii lewisi	G5T4	S2
Invertebrates	Suckley Cuckoo Bumble Bee	Bombus suckleyi	G2G3	S1
Invertebrates	A Subterranean Amphipod	Stygobromus tritus	G1	S1S2
Vascular Plants	Alpine Collomia	Collomia debilis var. camporum	G5T2	S1S2
Vascular Plants	Spiny-spore Quillwort	Isoetes echinospora	G5	S3
Vascular Plants	Stalk-leaved Monkeyflower	Mimulus ampliatus	G3	S3
Vascular Plants	Missoula Phlox	Phlox kelseyi var. missoulensis	G3	S3

Source: Montana Natural Heritage Program SOC Report

**Table 3.6 – Montana Species Ranking Codes (Global (G) Rank, State (S) Rank)**

Rank		Definition
G1	S1	At high risk because of extremely limited and/or rapidly declining population numbers, range and/or habitat, making it highly vulnerable to global extinction or extirpation in the state.
G2	S2	At risk because of very limited and/or potentially declining population numbers, range and/or habitat, making it vulnerable to global extinction or extirpation in the state.
G3	S3	Potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.
G4	S4	Apparently secure, though it may be quite rare in parts of its range, and/or suspected to be declining.
G5	S5	Common, widespread, and abundant (although it may be rare in parts of its range). Not vulnerable in most of its range.
GX	SX	Presumed Extinct or Extirpated - Species is believed to be extinct throughout its range or extirpated in Montana. Not located despite intensive searches of historical sites and other appropriate habitat, and small likelihood that it will ever be rediscovered.
GH	SH	Historical, known only from records usually 40 or more years old; may be rediscovered.
GNR	SNR	Not Ranked as of yet.
GU	SU	Unrankable - Species currently unrankable due to lack of information or due to substantially conflicting information about status or trends.
GNA	SNA	A conservation status rank is not applicable because the species or ecosystem is not a suitable target for conservation activities as a result of being: 1) not confidently present in the state; 2) non-native or introduced; 3) a long distance migrant with accidental or irregular stopovers; or 4) a hybrid without conservation value.

Source: Montana Natural Heritage Program SOC Report

## 8. Historical and Archaeological Sites

All applicants are required to contact the State Historic Preservation Office (SHPO) in order to determine whether the activities at the site will interfere with any historical site at or near the property. Based on the information gathered from the SHPO, it was concluded that the proposed facility would not impact cultural resources in the area.

## **ANALYSIS OF TABLE 3.2 – POTENTIAL IMPACTS ON HUMAN ENVIRONMENT**

This section evaluates the potential environmental effects that may occur on the human environment if the proposed facility is approved. The number on each of the following resource headings corresponds to a resource listed in the tables. Generally, only those resources potentially affected by the proposal are discussed. Therefore, if there is no effect on a resource, it may not be discussed.

### **5. Quantity and Distribution of Employment**

Existing employees would be utilized for this operation. There is low potential that this project would create a significant number of new jobs.

### **6. Local & State Tax Base & Tax Revenue**

The establishment of a MVWF at the proposed location will provide a source of used motor vehicles or component parts for sale to the public. The issuance of a MVWF license will allow the applicant to:

- (1) Buy, sell, or deal in four or more vehicles per year of a type required to be licensed for the purpose of wrecking, dismantling, disassembling, or substantially altering the form of the motor vehicle;
- (2) Buy or sell component parts, in whole or in part, and deal in second-hand motor vehicle parts; and
- (3) Purchase wrecked vehicles from insurance companies. Insurance companies are required by state law to sell junk vehicles only to licensed MVWF.

The operation of a MVWF may create an additional labor requirement and may result in additional employment. This employment, and the employment requirements for the support services of this MVWF, may provide a neutral to positive employment impact for the community.

### **7. Demands for Government Services**

The potential impacts of the proposed facility's licensure is expected to be minor. The MVRDP provides grants to fund individual counties to run their junk vehicle programs. The intent of these programs is to remove unwanted vehicles free of charge, and to regulate activities at licensed MVWFs. Counties are required to inspect MVWFs for compliance at least annually to assure compliance with all applicable rules. The Missoula County Environmental Health office and DEQ's SWS will perform routine inspections and provide compliance assistance while the facility is operational. Road maintenance and emergency services are already in place for industrial operations in that area.

### **8. Industrial, Commercial, & Agricultural Activities & Production**

The proposed MVWF site is within an area zoned for industrial and commercial use. There are several other licensed MVWFs surrounding this site, as well as other industrial and commercial enterprises. There should not be a change in the activities and production of the local area.

### **10. Locally Adopted Environmental Plans and Goals**

Site selection is the applicant's responsibility. The establishment of a MVWF at this location does not conflict with any existing zoning ordinances, as certified by Nick Zanetos, Planner I of Missoula County.

## **SECTION 4.0 – CONCLUSIONS AND RECOMMENDATIONS**

### **A listing and appropriate evaluation of mitigation, stipulations, and other controls enforceable by the agency or another government agency:**

MVWFs typically generate hazardous wastes through the variety of services they offer. Used batteries, antifreeze, mercury switches, oil, solvents, and other waste fluids are just a few examples of wastes that need to be handled and managed properly. Management of hazardous waste is regulated by the federal Resource Conservation and Recovery Act (RCRA), which is administered by DEQ. The types and number of requirements that must be complied with are based on the quantity and type of waste generated.

Automotive fluids **must** be drained from the vehicles prior to dismantling. All fluids removed from the vehicles must be captured over an impermeable surface, properly containerized, and properly stored for reuse, recycling, or proper disposal. This management method intends to prevent or mitigate the potential for ground water contamination. This is a license condition enforceable by DEQ which the applicant is already in compliance with.

MVWFs that generate waste tires are required to store, transport, and dispose of the tires properly. This is a license condition enforceable by DEQ which the applicant is already in compliance with.

Under the federal Clean Air Act (42 U.S.C. § 7401), it is illegal to vent any ozone depleting substance or its substitute. Refrigerants must be recovered into a registered recovery device. This is a federally enforceable requirement administered by the U.S. Environmental Protection Agency (EPA).

### **Recommendation:**

DEQ recommends distributing the EA to adjacent landowners and interested persons to satisfy the public notification and participation requirements of MEPA.

### **Findings:**

DEQ has made the preliminary determination that the applicant is in compliance with the existing zoning ordinances (as of the date of the submittal of the application) and can effectively shield the proposed facility from all public roads in the area. The proposed MVWF will have minor impacts on the surrounding area.

### **Necessity of an EIS:**

DEQ finds that an environmental impact statement (EIS) is not needed due to the mitigating factors provided by the solid waste rules and the applicant's application of the MVWF at the selected location. Consequently, these factors will ensure to a reasonable extent that any potential, direct, or cumulative impacts to human health and the environment from the proposed MVWF are minor.

### **If an EIS is not required, explain why the EA is an appropriate level of analysis:**

Based on the information submitted for review with the license application, it is clear that the facility will handle all automotive fluids as required by law, will shield the facility as required by law, and will meet all Missoula County zoning ordinances. Therefore, an EA is the appropriate document to address the potential minor impacts of the proposed license expansion of the Whippoorwill Salvage MVWF.

**Other groups or agencies contacted or which may have overlapping jurisdiction:**

Missoula County Commissioners

**Individuals or groups contributing to this EA:**

Montana Department of Natural Resources and Conservation

Natural Resource Conservation Service

Montana Historical Society

State Historic Preservation Office

U.S. Geological Survey

Montana Bureau of Mines and Geology

U.S. Department of Agriculture - Natural Resource Conservation Service

**EA prepared by:** Brady Christensen– Montana DEQ, Solid Waste Section

**Date:** January 25, 2023